

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JANICE MCMONIGLE, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	1:21-CV-04790-LMM
11578243 CANADA, INC., d/b/a	:	
BLACKOXYGEN ORGANICS, <i>et al.</i> ,	:	
	:	
Defendants.	:	

ORDER

This case is currently before the Court on a *sua sponte* review. Plaintiffs filed their Complaint in this matter on November 19, 2021. Plaintiffs filed executed Returns of Service as to Defendants BlackOxygen Organics USA, Inc., Carlo Garibaldi, and 11578243 Canada, Inc. The Returns of Service established that Defendant BlackOxygen Organics USA, Inc.'s answer was due on December 30, 2021, Defendant Carlo Garibaldi's answer was due on January 31, 2022, and Defendant 11578243 Canada, Inc.'s answer was due on February 22, 2022. No answers were filed. Proof of service has not been filed for Defendant Marc Saint-Onge, and Defendant Marc Saint-Onge has not appeared.

Because Defendants BlackOxygen Organics USA, Inc., Carlo Garibaldi, and 11578243 Canada, Inc., were served but have not timely answered, the Clerk is

DIRECTED to enter **DEFAULT** against Defendants BlackOxygen Organics USA, Inc., Carlo Garibaldi, and 11578243 Canada, Inc.

Plaintiff is **ORDERED** to file by March 15, 2022, either proof of service for Defendant Marc Saint-Onge or to **SHOW CAUSE** why this Defendant should not be dismissed for failure to serve. See Fed. R. Civ. P. 4(m).

A failure to comply with any portion of this Order will indicate Plaintiff does not intend to prosecute this matter and the Court will dismiss this action pursuant to Rule 4(m) and Local Rule 41.3A, NDGa, as applicable. The Clerk is **DIRECTED** to submit this matter to the undersigned on March 16, 2022.

IT IS SO ORDERED this 1st day of March, 2022.



Leigh Martin May
United States District Judge